

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION AT AKRON**

IN RE:	§	CASE NO. 24-50082-AMK
	§	
NICHOLAS F MARICH	§	
JEANNE M. MARICH	§	CHAPTER 7
	§	
Debtors.	§	JUDGE Alan M. Koschik

TRUSTEE’S MOTION TO COMPROMISE

Now comes Julie K. Zurn, Trustee herein, who moves the Court for an Order pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure authorizing her to compromise the estate’s interest in non-exempt equity in the 2021 Chevrolet Silverado and certain non-exempt liquid assets. In support of said Motion, Trustee states as follows:

1. This case was commenced with the filing of a voluntary petition by Debtors on January 22, 2024 (the “Petition Date”) under Chapter 7 of the United States Bankruptcy Code.
2. This Court has jurisdiction pursuant to 28 U.S.C. §1334 and General Order No. 2012-7 entered in this District on April 4, 2012.
3. Venue over this case and this matter is proper pursuant to 28 U.S.C. §§1408 and 1409, and this is a core proceeding pursuant to 28 U.S.C. §157(b)(2).
4. At issue in this motion, are the following: (1) the non-exempt liquid assets, consisting of (i) three bank accounts with a combined petition date balance of \$598.59 less claimed exemptions of \$50.25; (ii) the non-exempt 2023 State tax

- refund, valued at \$365.00,¹ (iii) shares of Coca Cola and Canadian Natural Resources with combined scheduled value as of the Petition Date of \$1,603.65, and (2) the debtor's non-exempt interest in a 2021 Chevrolet Silverado, with a scheduled value of \$40,954, lien balance of \$31,471, and exemptions totaling \$5,925. The total of these non-exempt liquid assets is \$6,450.47. The Trustee demanded turnover of these non-exempt assets.
5. In order to resolve matters without further litigation, Debtors have offered to pay, and the Trustee has agreed to accept \$6,000.00 (the "Settlement Amount") paid as follows: payment of \$1,500.00 to the Trustee each month for four months beginning with the first payment due on February 1, 2025, and continuing on the 1st of each month thereafter until paid in full.
 6. Trustee is authorized to intercept Debtors' 2024 Federal Tax Refund, if any, and apply any amounts that would not otherwise be non-exempt property of this bankruptcy estate to the remaining balance then owing on the Settlement Amount, upon receipt of any such funds. If the Settlement Amount is paid in full at the time any refund is intercepted by Trustee, then Trustee shall deliver to the Debtors any amount of the refund in excess of that which is non-exempt property of the estate.
 7. After taking into consideration the value and nature of the assets at issue in this case, as well as the costs and uncertainty of liquidation and/or litigation in lieu of settlement, Trustee believes that the compromise is fair and reasonable and should be approved.

¹ Debtors' 2023 Federal Return shows a refund of \$3,708, with \$485 attributable to a refundable tax credit. Debtors have represented to the Trustee that they did not receive the 2023 Federal Refund because it was offset by the Federal Government.

WHEREFORE, Trustee requests an Order approving the compromise pursuant to 11 U.S.C. § 102(1)(B)(i) without a hearing unless one is requested by a creditor or party in interest within twenty-one days after notice hereof. Trustee further requests the Court order such other and further relief as this Court may deem just and appropriate.

Respectfully submitted,

/s/ Julie K. Zurn

Julie K. Zurn (0066391)

Chapter 7 Trustee

Roetzel & Andress LP

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Akron, OH 44308

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NOTICE OF MOTION TO COMPROMISE

Julie K. Zurn, Chapter 7 Trustee, has filed papers with the Court seeking to compromise with the Debtor.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the Court to grant the Trustee's request, or if you want the Court to consider your views on the motion, then on or before **February 19, 2025**, you or your attorney must:

File with the Court a written request for a hearing and a written response explaining your position at:

Clerk of Courts
U.S. Bankruptcy Court
455 Federal Building
2 S. Main St.
Akron, Ohio 44308

If you mail your request and response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to: Julie K. Zurn
Chapter 7 Trustee

Roetzel & Andress LP
222 S. Main Street, Suite 400
Akron, OH 44308

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an Order granting that relief.

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2025 a copy of the foregoing was served via ECF upon:

United States Trustee (Registered address)@usdoj.gov

Michael A. Steel, Debtor's Counsel MSTEEL@STEELCOLAW.COM

Julie K. Zurn jzurn@ralaw.com, jkz@trustesolutions.net

and via regular U.S. mail upon:

Nicholas F Marich and Jeanne M. Marich, Debtors
1462 MCTWEED LANE
NEW FRANKLIN, OH 44203

All creditors having filed claims in this case, on the attached matrix.

/s/ Julie K. Zurn
Julie K. Zurn (0066391)
Chapter 7 Trustee

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San Francisco, CA 94108-2716

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Resurgent Capital Services
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Capital Bank
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PO Box 10368
Greenville, SC 29603-0368

Capital One
PO BOX 31293
Salt Lake City, UT 84131-0293

Capital One N.A.
by AIS InfoSource LP as agent
PO Box 71083
Charlotte, NC 28272-1083

Citi Bank
Best Buy Credit Services
PO BOX 9001007
Louisville, KY 40290-1007

Citibank N.A.
Citibank, N.A.
5800 S Corporate Pl
Sioux Falls, SD 57108-5027

CREDIT FIRST NA
PO BOX 818011
CLEVELAND, OH 44181-8011

Credit First NA/Firestone
PO BOX 81083
Cleveland, OH 44181

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Discover Personal Loans
PO Box 30954
Salt Lake City, UT 84130-0954

Internal Revenue Service
Centralized Insolv Ops
P.O. Box 7346
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Internal Revenue Service
Insolvency Group 6
1240 East Ninth Street, Room 493
Cleveland, OH 44199-9941

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PO Box 2037
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